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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/622,261 10/10/00 SCHACH

H 1249

EXAMINER

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MM91/0509

GONZALEZ, J

ART UNIT

PAPER NUMBER

2834

DATE MAILED:

05/09/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/622,261	SCHACH ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Julio C. Gonzalez	2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on \_\_\_\_ .

2a) This action is **FINAL**.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 16-31 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_ is/are allowed.

6) Claim(s) 16-31 is/are rejected.

7) Claim(s) \_\_\_\_ is/are objected to.

8) Claims \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 10 October 2000 is/are objected to by the Examiner.

11) The proposed drawing correction filed on \_\_\_\_ is: a) approved b) disapproved.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. § 119

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_ .
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

#### Attachment(s)

15) Notice of References Cited (PTO-892)

16) Notice of Draftsperson's Patent Drawing Review (PTO-948)

17) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 1

18) Interview Summary (PTO-413) Paper No(s). \_\_\_\_ .

19) Notice of Informal Patent Application (PTO-152)

20) Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

✓1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "61" has been used to designate both rotor shaft and axial bearing bush. Correction is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 16-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 16, applicant discloses that the attachment device attaches rotor and stator to the printed circuit board, but how is it that by doing that, a frame surrounds the shaft?

In claim 21 what is meant by disclosing that the shaft is "passable"? In claim 31, what is meant with "a stator winding located on the later, and a stator arm region"?

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 16-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Permuy in view of Taguchi et al and Sudler.

Permuy discloses a printed circuit board 16, a rotor, a shaft 3, a stator, an attachment device 4 for attaching rotor, stator to printed circuit board in such a way that the printed circuit board device forms a part of a frame surrounding the shaft. Also the rotor shaft is provided with at least one radial bearing and an axial bearing bush 2 which is formed of one piece. Also the axial bearing bush is formed as an insert receivable. Moreover the stator attaches to the printed circuit board device (see figure 1).

However Permuy does not disclose that the device has a lid which is locked, aligning devices and the stator being attached to the wiring of the printed circuit board.

On the other hand, Taguchi et al discloses for the purpose of retaining, protecting and being able to connect the circuit board to a switch or a power source so more control can be achieved on the circuit board, a lid 11 which can be locked, an alignment device (see figure 5) with centering pin 65 and the stator device is attached to a wiring of printed circuit board (see figure 4).

However neither Permuy or Taguchi et al disclose the motor being used for a dial.

On the other hand Sudler discloses using a dial for the purpose of reducing the diameter and space, thus reducing the size of the motor, a dial 6.

It would have been obvious to one having ordinary skill in the art to design a stator, rotor with a shaft comprising a printed circuit board as disclosed by Permuy and to include a locked lid, alignment devices and wiring attach to the printed circuit board for the purpose of retaining, protecting and being able to connect the circuit board to a switch

or a power source so more control can be achieved on the circuit board as disclosed by Taguchi et al and to include a dial for the purpose of reducing the size of the motor as disclosed by Sudler.

### ***Conclusion***

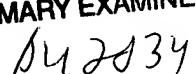
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julio C. Gonzalez whose telephone number is (703) 305-1563. The examiner can normally be reached on M-F (8AM-5PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 305-1341 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Jcg3

April 30, 2001

  
ELVIN ENAD  
PRIMARY EXAMINER  
  
42834  
J/3/c)